

California Regional Water Quality Control Board  
North Coast Region

Notice of Public Hearing and Notice of Issuance of a Complaint

Administrative Civil Liability Complaint No R1-2010-0070  
For  
Violation of Waste Discharge Requirements  
Order No. R1-2006-0049  
(NPDES No. CA0022888)

In The Matter Of  
The City of Ukiah  
Wastewater Treatment Facility  
WDID No. 1B84029OMEN

Mendocino County

On August 3, 2010, the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), Assistant Executive Officer issued Administrative Civil Liability Complaint No. R1-2010-0070 (Complaint) to the City of Ukiah. The Complaint assesses administrative civil penalties in the amount of \$130,768 pursuant to Water Code section 13385, 13350, and 13268 for alleged violations of Waste Discharge Requirements Order No. R1-2006-0049. These violations occurred during the period of January 1, 2007 through May 31, 2010.

The Discharger may satisfy terms of the Complaint by paying the full amount of the penalty into the State Water Pollution Cleanup and Abatement Account or by making partial payment and directing the remainder of the penalty toward a Supplemental Environmental Project or Enhanced Compliance Actions, subject to approval by the Regional Water Quality Control Board.

***Opportunity for Settlement Without a Public Hearing***

A public comment period has commenced beginning on the date of this notice and ending September 2, 2010. This matter may be settled without a hearing if no significant comments are received during the comment period and if the Discharger waives the hearing and agrees to pay the full amount of proposed civil liability. The Assistant Executive Officer will consider comments received and either finalize the settlement or take other appropriate action.

***Public Hearing Procedures***

If the Discharger expresses intent to contest the Complaint by not waiving the right to a hearing, the Regional Water Board will hold a public hearing on this matter on October 28, 2010 at 8:30 a.m., or as announced in the Regional Water Board's summary agenda to be mailed on or about October 6, 2010. The hearing is scheduled to be held in Santa Rosa, California. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed Civil Liability, or take other enforcement action.

If the Discharger or interested persons would like the Regional Water Board to consider technical reports, testimony, and other evidentiary material concerning this issue, written copies of such documentation must be submitted to the Regional Water Board office at 5550 Skylane Boulevard, Suite A, Santa Rosa, California, 95403, by 5:00 p.m. on September 13, 2010. This written material will be made available to the Regional Water Board members and all interested persons.

Written material received after September 13, 2010 will not be accepted, except at the discretion of the Regional Water Board Chair. Untimely written material will not be accepted or incorporated into the administrative record if doing so would prejudice the Discharger or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (California Code of Regulations, title 23, sections 648.1 and 648.4).

All those who plan to testify at the hearing must submit written statements to the Regional Water Quality Control Board by October 19, 2010. The statements should provide the name of the witness, their qualifications (if an expert), and the scope of their intended testimony. Testimony at the above-scheduled hearing may summarize or explain timely submitted or late-accepted written evidence, but shall not add new evidence. The time constraints for oral testimony or comments will be set by the Regional Water Board Chair and usually will allow no more than ten minutes each for Regional Water Board staff and the Discharger and three minutes each for other interested persons. A timer may be used and speakers are expected to honor the time limits. Where speakers can be grouped by affiliation or interest, such groups will be expected to select a spokesperson and not be repetitive.

### ***Document Review***

The Complaint is available for review on the Regional Water Board web site at [http://water100.waterboards.ca.gov/rb1/adopted\\_orders/](http://water100.waterboards.ca.gov/rb1/adopted_orders/). That document as well as the other evidentiary documents and files may be inspected or copied at the Regional Water Board office on Monday through Friday from 8:00 a.m. to 5:00 p.m. Appointments are recommended for file review. Appointments can be made by calling (707) 576-2220. For further information, please contact Regional Water Board staff member Cecile Morris at (707) 576-2347 or by email at [cmorris@waterboards.ca.gov](mailto:cmorris@waterboards.ca.gov).

Luis G. Rivera  
Assistant Executive Officer

August 3, 2010